



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the Act”)

Chamber Ref: FTS/HPC/CV/25/4167

Re: Property at 13 Polton Street, Bonnyrigg, EH19 3HD (“the Property”)

Parties:

Mr Andrew Wesley, Mrs Elizabeth Wesley, 27 Union Park, Bonnyrigg, EH19 3DF (“the Applicants”)

Miss Eilidh Farricker, 13 Polton Street, Bonnyrigg, EH19 3HD (“the Respondent”)

Tribunal Members:

Ms H Forbes (Legal Member) and Mrs F Wood (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be granted in the sum of £6200.

Background

1. This is a Rule 111 application whereby the Applicants are seeking an order for payment in the sum of £6200. The Applicants lodged a copy of a private residential tenancy agreement between the parties, which commenced on 1st March 2025 at a monthly rent of £850, pre-action requirement correspondence, bank statements, Universal Credit correspondence, and a rent statement.
2. Service of the application and notification of a Case Management Discussion was made upon the Respondent by Sheriff Officer on 24th March 2026.

The Case Management Discussion

3. A Case Management Discussion (“CMD”) took place by telephone conference on 7th May 2026. Mr Wesley attended on behalf of both Applicants. Mr Wesley was supported by his daughter. The Respondent was not in attendance. The

start of the CMD was delayed to allow the Respondent to attend. The Respondent did not join the call.

4. The Tribunal considered the terms of Rule 29. The Tribunal determined that the requirements of Rule 17(2) had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondent.
5. Mr Wesley said the arrears are now £10450. The Respondent is not in communication with the Applicants, and the arrears are affecting the Applicants financially. An application to Universal Credit for direct payment of benefits was unsuccessful.
6. There was some discussion as to whether the Applicants would wish to move for an order in the sum of £6200 or continue the application to make an application to increase the sum sought. Mr Wesley confirmed he was seeking an order in the original sum of £6200.

Findings in Fact and Law

7.
 - (i) Parties entered into a private residential tenancy agreement in respect of the Property, which commenced on 1st March 2025 at a monthly rent of £850.
 - (ii) Rent lawfully due has not been paid by the Respondent to the Applicants.
 - (iii) The Applicants are entitled to recover rent lawfully due.

Reasons for Decision

8. Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due.

Decision

9. An order for payment is granted in favour of the Applicant in the sum of £6200.

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must

seek permission to appeal within 30 days of the date the decision was sent to them.

H. Forbes

Legal Member/Chair

7th May 2026
Date